

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

ANGEL ABDULSAMI ABDULLAH,)

Plaintiff,

Civil Action No. 7:20cv00723

V.

MEMORANDUM OPINION

MARTIN KUMER, *et al.*,

By: **Hon. Thomas T. Cullen**
United States District Judge

Defendants.

Plaintiff Angel Abdulsami Abdullah, a former inmate proceeding *pro se*, filed this civil rights action under 42 U.S.C. § 1983. After filing this action, Abdullah advised the court that he had been released from incarceration. (*See* ECF No. 16.) By order entered March 5, 2021, the court advised Abdullah that, because he was no longer an inmate, he would not be allowed to pay the filing fee in installments under the Prison Litigation Reform Act. (*See* ECF No. 17.) The court ordered Abdullah to pay the balance of the filing fee or otherwise respond to the order within 10 days. (*Id.*) The court warned Abdullah that failure to pay the filing fee or otherwise respond to the order would result in immediate dismissal of the action without prejudice. (*Id.*) Abdullah did not respond to the court's order and, on March 22, 2021, the court dismissed this action without prejudice for failure to comply. (*See* ECF No. 19 and 20.)

Subsequently, Abdullah filed two motions to reopen his case. (*See* ECF Nos. 24 and 27.) On October 21, 2021, the court granted Abdullah’s requests. (*See* ECF No. 28.) On November 3, 2021, the court’s order came back as undeliverable and with no forwarding address. (*See* ECF No. 29.) Abdullah was previously advised multiple times that it was his responsibility to immediately notify the court—in writing—of his release or change of address.

(*See* ECF Nos. 3 and 5.) He was also advised that failure to maintain a current address with the court would result in dismissal of his case. (*Id.*) Because Abdullah has not provided the court with an updated address, the court will dismiss this action without prejudice for failure to comply with the court's order. The court notes that this dismissal is without prejudice to Abdullah's opportunity to refile his claims in a separate civil action, subject to the applicable statute of limitations.

The clerk is directed to forward a copy of this Memorandum Opinion and the accompanying Order to Abdullah at his last known address and to all other counsel of record.

ENTERED this 18th day of November, 2021.

/s/ Thomas T. Cullen
HON. THOMAS T. CULLEN
UNITED STATES DISTRICT JUDGE